

OFFICE OF THE INTELLECTUAL PROPERTY ENFORCEMENT COORDINATOR

Committee on the Judiciary: Committee concluded an oversight hearing to examine the Office of the Intellectual Property Enforcement Coordinator, after receiving testimony from Victoria A. Espinel, U.S. Intellectual Property Enforcement Coordinator, Office of Management and Budget.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit, John E. Dowdell, to be United States District Judge for the Northern District of Oklahoma, who were both introduced by

Senators Inhofe and Coburn, Paul William Grimm, to be United States District Judge for the District of Maryland, who was introduced by Senators Mikulski and Cardin, and Mark E. Walker, to be United States District Judge for the Northern District of Florida, and Brian J. Davis, to be United States District Judge for the Middle District of Florida, who were both introduced by Senators Nelson (FL) and Rubio, after the nominees testified and answered questions in their own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 57 public bills, H.R. 5650–5651, 5653–5707; and 1 resolution, H. Res. 647, were introduced. **Pages H2565–67**

Additional Cosponsors: **Pages H2569–70**

Reports Filed: Reports were filed today as follows:

H.R. 4966, to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011, with an amendment (H. Rept. 112–469, Pt. 1);

H.R. 5652, to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013 (H. Rept. 112–470);

H.R. 4235, to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts, with an amendment (H. Rept. 112–471, Pt. 1); and

H. Res. 648, providing for consideration of the bill (H.R. 5652) to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013 (H. Rept. 112–472).

Page H2565

Speaker: Read a letter from the Speaker wherein he appointed Representative Harper to act as Speaker pro tempore for today. **Page H2451**

Recess: The House recessed at 10:51 a.m. and reconvened at 12 noon. **Page H2457**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Securing American Jobs Through Exports Act: H.R. 2072, amended, to reauthorize the Export-Import Bank of the United States, by a $\frac{2}{3}$ ye-a-and-nay vote of 330 yeas to 93 nays, Roll No. 224 and

Pages H2460–81, H2490–91

United States-Israel Enhanced Security Cooperation Act of 2012: H.R. 4133, amended, to express the sense of Congress regarding the United States-Israel strategic relationship, to direct the President to submit to Congress reports on United States actions to enhance this relationship and to assist in the defense of Israel, by a $\frac{2}{3}$ ye-a-and-nay vote of 411 yeas to 2 nays with 9 answering “present”, Roll No. 225.

Pages H2481–90, H2401–92

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

Page H2490

Temporary Bankruptcy Judgeships Extension Act of 2012: The House agreed to discharge from committee and pass H.R. 4967, to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts. **Pages H2492–93**

Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013: The House continued with consideration of H.R. 5326, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year

ending September 30, 2013. Consideration is expected to resume tomorrow, May 10th.

Pages H2493–H2515, H2515–51, H2551–57

Agreed to:

Quayle amendment that prohibits funds from being used to implement, administer, or enforce the Equal Employment Opportunity Commission Enforcement Guidance Number 915.002 concerning “Consideration of arrest and conviction records in employment decisions”;

Page H2502

Poe amendment (No. 14 printed in the Congressional Record of May 8, 2012) that prohibits funds from being used to enforce section 221(a) of title 13, United States Code, with respect to the American Community Survey;

Pages H2505–07

Chaffetz amendment that prohibits funds from being used in contravention of paragraph (1), (2), or (3) of section 1001(a) of title 18, United States Code (by a recorded vote of 381 ayes to 41 noes, Roll No. 226);

Pages H2493–96, H2516

Blackburn amendment that prohibits funds from being used to defend against any action challenging any provision of Public Law 111–148 or any provision of title I or subtitle B of title II of Public Law 111–152; or any amendment to a provision of law made by any provision described in paragraph (1) (by a recorded vote of 229 ayes to 194 noes, Roll No. 228);

Pages H2498–H2500, H2517–18

Duncan (SC) amendment (No. 38 printed in the Congressional Record of May 8, 2012) that prohibits funds from being used to litigate against any of the several States on behalf of the National Labor Relations Board pertaining to secret ballot union elections (by a recorded vote of 232 ayes to 192 noes, Roll No. 229);

Pages H2501–02, H2518

Garrett amendment that prohibits funds from being used by the Department of Justice to be a party to a single or multi-state court settlement where funds are removed from any residential mortgage-backed securitization trust (by a recorded vote of 238 ayes to 185 noes, Roll No. 230);

Pages H2503–04, H2518–19

Schweikert amendment that prohibits funds from being used by the Department of Justice to bring any action against any State for implementation of a State law requiring voter identification (by a recorded vote of 232 ayes to 190 noes, Roll No. 231);

Pages H2504–05, H2519–20

Webster amendment that prohibits funds from being used to conduct the survey, conducted by the Secretary of Commerce, commonly referred to as the “American Community Survey” (by a recorded vote of 232 ayes to 190 noes, Roll No. 232) (agreed by unanimous consent to vacate the earlier proceedings by which the amendment was agreed to by voice vote);

Pages H2507–09, H2520

Flores amendment that prohibits funds from being used to enforce section 526 of the Energy Independence Security Act of 2007 (by a recorded vote of 250 ayes to 173 noes, Roll No. 233);

Pages H2509–10, H2520–21

Flores amendment that prohibits funds from being used to implement the National Ocean Policy developed under Executive Order 13547 (relating to the stewardship of oceans, coasts, and the Great Lakes) (by a recorded vote of 246 ayes to 174 noes, Roll No. 234);

Pages H2510–15, H2521–22

Engel amendment (No. 28 printed in the Congressional Record of May 8, 2012) that prohibits funds from being used to lease or purchase new light duty vehicles, for any executive fleet, or for an agency’s fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011;

Pages H2523–24

Walsh (IL) amendment that prohibits funds made available in this Act for the State Criminal Alien Assistance Program from being made available to any State or local government that violates section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996;

Page H2524

Chaffetz amendment (No. 36 printed in the Congressional Record of May 8, 2012) that prohibits funds from being used to implement section 36.302(c)(9) of title 28, Code of Federal Regulations;

Page H2531

Brown (FL) amendment that increases funding, by offset, for emergency federal law enforcement assistance, as authorized by section 609M of the Justice Assistance Act of 1984, by \$20,000,000;

Page H2536

Garamendi amendment that increases funding, by offset, for the Manufacturing Extension Partnership by \$443,000;

Pages H2537–38

Denham amendment (No. 26 printed in the Congressional Record of May 8, 2012) that prohibits funds from being used to implement section 10011(b) of Public Law 111–11;

Pages H2538–39

Denham amendment that prohibits funds from being used to provide services from or for the Executive Office for United States Attorneys, the United States Marshals Service, or employees of the Department of Justice, to carry out activities located at a newly constructed Federal courthouse located in Los Angeles, California;

Pages H2539–41

Huelskamp amendment (No. 24 printed in the Congressional Record of May 8, 2012) that prohibits funds from being used in contravention of the Defense of Marriage Act (by a recorded vote of 245 ayes to 171 noes, Roll No. 235);

Pages H2547–51, H2551–52

Landry amendment that prohibits funds from being used to implement a proposed rule for turtle

excluder devices as described in the Southeast Fishery Bulletin published by the National Oceanic and Atmospheric Administration on May 8, 2012 (by a recorded vote of 218 ayes to 201 noes, Roll No. 236);

Pages H2522–23, H2552–53

Gardner amendment (No. 32 printed in the Congressional Record of May 8, 2012) that prohibits funds from being used to pay the salary of any officer or employee of the Department of Commerce who uses amounts in the Fisheries Enforcement Asset Forfeiture Fund of the National Oceanic and Atmospheric Administration that consists of the sums described in section 311(e)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(e)(1)) for any purpose other than a purpose specifically authorized under such section (by a recorded vote of 357 ayes to 68 noes, Roll No. 237);

Pages H2523, H2553

Cravaack amendment (No. 7 printed in the Congressional Record of May 7, 2012) that prohibits funds from being used to carry out the activities of the Climate Change Education program of the National Science Foundation (by a recorded vote of 238 ayes to 188 noes, Roll No. 241); and

Pages H2535–36, H2555–56

Flake amendment that prohibits funds from being used to carry out the functions of the Political Science Program in the Division of Social and Economic Sciences of the Directorate for Social, Behavioral, and Economic Sciences of the National Science Foundation (by a recorded 218 ayes to 208 noes, Roll No. 243).

Pages H2543–44, H2557

Rejected:

Tierney amendment that sought to increase funding, by offset, for the John R. Justice Prosecutors and Defenders program by \$10,000,000 (by a recorded vote of 160 ayes to 260 noes, Roll No. 227);

Pages H2496–98, H2516–17

Rohrabacher amendment that sought to prohibit funds from being used, with respect to the States of Alaska, Arizona, California, Colorado, Delaware, District of Columbia, Hawaii, Maine, Maryland, Michigan, Montana, Nevada, New Jersey, New Mexico, Oregon, Rhode Island, Vermont, and Washington to prevent such States from implementing their own State laws that authorize the use, distribution, possession, or cultivation of medical marijuana (by a recorded vote of 163 ayes to 262 noes, Roll No. 238);

Pages H2524–29, H2553–54

Lewis (GA) amendment that sought to prohibit funds from being used for the purpose of closing the regional field offices of the Antitrust Division of the Department of Justice (by a recorded vote of 189 ayes to 235 noes, Roll No. 239);

Pages H2529–31, H2554–55

Holt amendment that sought to prohibit funds from being used in contravention of any of the following: 1) The Fifth and Fourteenth Amendments to the Constitution of the United States; 2) Title VI of the Civil Rights Act of 1964 (relating to non-discrimination in federally assisted programs); 3) Section 809(c)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (relating to prohibition of discrimination); and 4) Section 210401(a) of the Violent Crime Control and Law Enforcement Act of 1994 (relating to unlawful police pattern or practice) (by a recorded vote of 193 ayes to 232 noes, Roll No. 240); and

Pages H2532–35, H2555

Flake amendment that sought to prohibit funds from being used to carry out the SelectUSA initiative (by a recorded vote of 209 ayes to 217 noes, Roll No. 242).

Pages H2541–43, H2556–57

Withdrawn:

Lee amendment that was offered and subsequently withdrawn that would have increased funding, by offset, for Community Oriented Policing Services Programs by \$177,087,000 and

Pages H2500–01

Broun (GA) amendment that was offered and subsequently withdrawn that would have prohibited funds from being used to carry out or enforce section 5 of the Voting Rights Act of 1965.

Pages H2544–47

H. Res. 643, the rule providing for consideration of the measure, was agreed to yesterday, May 8th.

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared with respect to the actions of the Government of Syria is to continue in effect beyond May 11, 2012—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112–107).

Page H2460

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H2460.

Senate Referral: S. 743 was referred to the Committees on Oversight and Government Reform, Permanent Select Committee on Intelligence, and Homeland Security.

Page H2558

Amendments: Amendments ordered printed pursuant to the rule appear on pages H2570.

Quorum Calls—Votes: Two yea-and-nay votes and 18 recorded votes developed during the proceedings of today and appear on pages H2490–91, H2491–92, H2516, H2516–17, H2517–18, H2518, H2518–19, H2519–20, H2520, H2520–21, H2521–22, H2551–52, H2552–53, H2553, H2553–54, H2554–55, H2555, H2555–56, H2556–57, and H2557. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12:01 a.m. on Thursday, May 10th.

Committee Meetings

MISCELLANEOUS MEASURE

Committee on Appropriations: Subcommittee on Homeland Security held a markup of Homeland Security Appropriations Bill FY 2013. The bill was forwarded, without amendment.

MISCELLANEOUS MEASURE

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs held a markup of State, Foreign Operations, and Related Programs Appropriations Bill FY 2013. The bill was forwarded, without amendment.

MISCELLANEOUS MEASURE

Committee on Armed Services: Full Committee began a markup of H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes.

MISCELLANEOUS MEASURE

Committee on Energy and Commerce: Full Committee began a markup of H.R. 5651, the "Food and Drug Administration Reform Act of 2012".

LEGISLATIVE MEASURE; AND HYDROPOWER REGULATORY EFFICIENCY ACT OF 2012

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing on H.R. 4273, the "Resolving Environmental and Grid Reliability Conflicts Act of 2012"; and discussion draft of the "Hydropower Regulatory Efficiency Act of 2012". Testimony was heard from Patricia Hoffman, Assistant Secretary for the Office of Electricity Delivery and Energy Reliability, Department of Energy; Gina McCarthy, Assistant Administrator for the Office of Air and Radiation, Environmental Protection Agency; Phillip D. Moeller, Commissioner, Federal Energy Regulatory Commission; Jeffrey C. Wright, Director, Office of Energy Projects, Federal Energy Regulatory Commission; Betty Ann Kane, Chairman, D.C. Public Service Commission; and public witnesses.

BUDGET AND SPENDING CONCERNS AT HHS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigation held a hearing entitled "Budget and Spending Concerns at HHS". Testimony was heard from Norris Cochran, Deputy Assistant Secretary, Office of Budget, Department of

Health and Human Services; Carolyn L. Yocom, Director, Health Care, Government Accountability Office; and James C. Cosgrove, Director, Health Care, Government Accountability Office.

RISEING REGULATORY COMPLIANCE COSTS AND THEIR IMPACT ON THE HEALTH OF SMALL FINANCIAL INSTITUTIONS

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Rising Regulatory Compliance Costs and Their Impact on the Health of Small Financial Institutions". Testimony was heard from public witnesses.

OVERSIGHT OF THE FEDERAL HOUSING ADMINISTRATION'S REVERSE MORTGAGE PROGRAM FOR SENIORS

Committee on Financial Services: Subcommittee on Insurance, Housing and Community Opportunity held a hearing entitled "Oversight of the Federal Housing Administration's Reverse Mortgage Program for Seniors". Testimony was heard from Charles Coulter, Deputy Assistant Secretary for Single Family Programs, Office of Housing, Federal Housing Administration; and public witnesses.

ASSESSING U.S. FOREIGN POLICY PRIORITIES AND NEEDS AMIDST ECONOMIC CHALLENGES IN THE MIDDLE EAST

Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia held a hearing entitled "Assessing U.S. Foreign Policy Priorities and Needs Amidst Economic Challenges in the Middle East". Testimony was heard from Jeffrey D. Feltman, Assistant Secretary of State, Bureau of Near Eastern Affairs, Department of State; Mara Rudman, Assistant Administrator for the Middle East Bureau, U.S. Agency for International Development; and Mark Ward, Deputy Special Coordinator for Middle East Transitions, Department of State.

MISCELLANEOUS MEASURES

Committee on Homeland Security: Full Committee held a markup of H.R. 3857, the "Public Transit Security and Local Law Enforcement Support Act"; H.R. 4005, the "Gauging American Port Security Act"; H.R. 3173, to direct the Secretary of Homeland Security to reform the process for the enrollment, activation, issuance, and renewal of a Transportation Worker Identification Credential (TWIC) to require, in total, not more than one in-person visit to a designated enrollment center; and H.R. 2356, the "WMD Prevention and Preparedness Act of 2011".